Freedom for Political Prisoners!

Newsletter dedicated to Belarusian political prisoners (Palitviazni.info)

Mikalai Statkevich: Political prisoners receive rape threats



Came to light details of the letter of Mikola Statkevich confiscated by the prosecution. Charter97.org received this information from sources in the Mahilou prison, where the political prisoners serves his term.

Mikalai Statkevich wrote in a letter about conditions in the Shklou correctional colony. Many of the opposition activists convicted for the rally against the rigged presidential election on December 19, 2010, were thrown into the Shklou colony.

He wrote that four political prisoners received rape threats to made them apply for a pardon.

The political prisoner thinks the prison authorities wanted to get rid of the inmates that could tell about corruption in the correctional colony.

Mikola Statkevich wrote also about other violation of the law, which he witnessed in a penal colony. In particular, he mentioned that the prison officers took food from packages that are coming to prisoners packages. The unit chief officer took away sausages, chocolates and cigarettes. Inmates had to "pay" him to have a chance to be released on parole.

Mikalai Statkevich says other correctional colony have similar conditions.

Nasta Dashkevich: we will file a complaint against preventive supervision over Zmitser Dashkievich

Relatives of Zmitser Dashkievich struggle to admit to a process on establishing preventive supervision over political prisoner his attorney. "We will go with the lawyer to prison to fix it", – said the wife of a political prisoner Nasta Dashkevich.

Zmitser Dashkievich, leader of the"Young Front", is going to be released on August 28th. It is not sure whether he will receive the preventive supervision, as happened to some of former political prisoners.

"So far there has been no information on this subject. We will do everything to find out about the authorities' decision. The prison administration shall refer the matter to the court, and the court decides. We will do everything to secure lawyer's presence during the trial" – said Mrs. Dashkievich.

According to Nasta Dashkievich, Zmitser feels "good and do not complain about health. Zmitser reads a lot and corresponds with people. He has a positive attitude ."

The "Young Front" leader, Zmitser Dashkevich is serving an additional year of imprisonment in Hrodna prison for alleged insubordination of which he was accused at the end of a two-year sentence for a robbery. Mr. Dashkievich believes that both of these sentences have political background.

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Human rights defenders recognize Andrei Haidukou as a political prisoner



Sentencing Andrej Hajdukou is lawless and is politically motivated. The Human Rights Center "Viasna" and the Belarusian Helsinki Committee issued a statement on sentencing of Andrei Haidukou.

The Human Rights Center "Viasna" and the Belarusian Helsinki Committee arrive at a conclusion that the preliminary investigation and the trial were completely closed and non-transparent, despite the increased interest in the case among the public and the media. Moreover, the authorities failed to provide any justification for the consideration of the case in a closed court session. Given the fact that Haidukou was initially charged with committing a grave crime (Article 356 of the Criminal Code, "high treason"), and later his actions were reclassified to a less serious crime, it can be assumed that the need for consideration of the case in a closed trial was motivated by a desire to conceal from the public the unlawful methods of the investigation and the provocation of the accused in the commission of a crime. This qualification of the offense by the court shows that the KGB misled the public, while the KGB did not establish the fact of entering by a national of the Republic of Belarus into illegal cooperation with the security agencies of a foreign state. Having established the circumstances, the KGB continued to induce Haidukou to commit a graver crime, thus committing a provocation.

Haidukou's right to legal protection was violated during the investigation; the investigators arbitrarily limited his meetings with the lawyer. Haidukou's contacts with his family were limited to occasional correspondence subjected to surveillance and censorship. As a measure of affecting Haidukou's lawyer, the investigation warned him of criminal liability for disclosure of information of the investigation. This measure, too broadly applied in practice, severely limits the ability of the lawyer to defend the interests of his client.

A. Haidukou was convicted of an offense under Article 356-1 of the Criminal Code, which criminalizes the establishment of cooperation on a confidential basis with the special service, security or intelligence agency of a foreign country with no elements of high treason. This act was first criminalized in November 2011.

Back in 2011, Belarusian human rights defenders stressed the inadmissibility of the use of non-specific definitions in the criminal law, including allowing for their arbitrary and expanded interpretation.

A statement of the Chairman of the State Security Committee V. Vakulchyk that came at the end of May 2013 said that the criminal case against A. Haidukou had reached court and was expected to be considered in a closed court hearing. Meanwhile, the indictment was not changed. This excessive activity of the KGB head, not the prosecution, who is supposed to be defending the charges in court, in disclosing details and prospects of the trial was evidence of the possible impact of the State Security Committee on the findings and the procedural decisions of the court.

Taking into account the social significance of the case, the nature of the charges leaves no doubt that the consideration of it in court was to be held in compliance with the principle of transparency, as there were no prerequisites for its restriction as provided by law.

It should be noted that the act for which Haidukou was convicted belongs to the category of crimes that do not pose a danger to society. A person accused of committing it cannot be subjected to the measure of restraint in the form of custody. According to para. 1 of the Resolution of the Plenum of the Supreme Court of the Republic of Belarus "On the appointment by courts of penalties on the deprivation of liberty," imprisonment as a punishment may be imposed only in cases prescribed by law for the crimes that represent a significant danger to the society, when the court, with regard to the nature of the crime and the personality of the convict, arrives at a conclusion that his or her isolation will protect society against crime and will contribute to the objectives of criminal responsibility. Analysis of the available data does not allow to conclude that the judicial sentence of imprisonment is grounded. In our view, the fact that the court found Haidukou guilty of attempting to commit a crime that belongs to a category that does not pose a great danger to society, while not being previously convicted, did not allow the court to apply imprisonment to the convict. Thus, his detention and conviction to imprisonment are arbitrary.

Assessing the circumstances in their complexity, as well as the nature of the charges, the procedural violations made during the investigation, and the closed mode of the trial, based on the information available to the human rights defenders on the actions of Haidukou, which served as the formal basis for his detention, the Human Rights Center "Viasna" and the Belarusian Helsinki Committee arrive at the following conclusions.

belapan.com

Stanislau Shushkevich: The regime isolates the people who are suffering for the nation



Stanislau Shushkevich, the first leader and head of state of independent Belarus (chairman of the Supreme Soviet of Belarus), considers the opinion that the situation of human rights in Belarus has improved, to be unacceptable. Opinion, which often can be found in the media, is totally different from the reality.

Stanislau Shushkevich: *Paletskis is wrong. Completely. The situation of human rights in our country remains unchanged, in contrast to the propaganda – this is perfect. Therefore, any, even small, insignificant fact is presented as an evidence for the improvement of the situation. Our situation with regard to human rights is simply unacceptable, dozens of people are locked up for their political beliefs. But there is one person, not necessarily well educated, not fully understanding the reality, but having enough nerve and not accepting anything beyond his own control. And this person with the help of dozens of sidekicks, hundreds of paid people, propagates the information about the alleged improvement of the situation. In Belarus, the situation does not improve, there is no evidence that might confirm this.*

- How does this propaganda work? Can the existence of the Belarusian political prisoners convince Western politicians and citizens of Belarus that the situation is different than it really is?

Stanislau Shushkevich: *For example, Makey is a true professional. By profession he is an intelligence specialist, but he is still Lukashenko's pupil. He serves only to Lukashenko. In dealing with such people, there can be no question of any improvement in the human rights situation. These people have no regard for human rights. Europe should not contact them. Europe has been repeating this mistake. Firstly, Javier Solana and Benita Ferrero-Waldner came to Minsk. They were fawned over and finally persuaded that Europe should not put any sanctions against Belarus and that the situation is improving. However, they were simply cheated. Civilized politicians did not expect that the authorities of the other country can in a shameless and unacceptable way lie to them, and now everything is repeated again. It is true that there are people – working for Minsk, responsible for releasing periodic messages saying that there are no political prisoners in Belarus. Meanwhile, Lukashenko traded political prisoners, some of them may even be released. However, I am sure that, for example, Dashkievich will never become a traitor, because he's a good young man with a conscience. Similarly like other opponents of the President who all should be released. And not only released, they should be rehabilitated. Only then will it be possible to talk about any progress in Belarus.*

- How can the human rights situation be changed? Is civil society able to make the authorities to release political prisoners in Belarus?

Stanislau Shushkevich: Society is able to get into action. Independent media accurately inform on the situation of the political prisoners. Unfortunatelly, information does not reach nation-wide public opinion in Belarus. State propaganda has a much wider impact, brazenly suppressing all independent media. Therefore, to reach people is a difficult task. Just ask an ordinary Belarusian who is Dashkievich, or what happened to Sannikov. Who knows what happens to those who have been arrested? Almost no one knows it. The regime isolates the people who are suffering for the nation, so it is difficult to speak of any progress. That is why the media should be the main factor changing situation. But today on one independent source falls at least 25 copies of state propaganda. In such circumstances, it is extremely difficult to encourage the people to fight against the regime, which in no way deserves respect.

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Piotr Maciążek: Prisoners of conscience cannot hope for the help of Russia



Quite often there is a mention of the European Union's solidarity with political prisoners in Belarus. And what is the position in this regard of another great neighbor of our country – Russia? Piotr Maciążek – an expert in the field of energy security and the countries of the former Soviet Union, believes that the situation presents itself in a rather sorry state.

Piotr Maciążek: *The EU relations with Belarus resemble a sine wave. Lukashenko first throws into jail political opponents, generating political judgments. And then begins to trade political prisoners. The European Union finally apply sanctions against Belarus. Even if sanctions do not always produce results, given that the EU is a collection of states, each of which has its own interests. The main objective of this political human trafficking is an attempt to remove the restrictions and sanctions. At the same time Belarus, at least economically, is increasingly gravitating towards integration with Russia. Privatization in Belarus, in fact, is introduced for Russian money. Taking all this into consideration, to allow for any changes in the country, Lukashenko has to be removed. From the point of view of the European Union, Lukashenko is not useful . Thus, multiple concessions on the part of Brussels, do not make sense.*

- However, Lukashenko continues to trade political prisoners, what is more, he is quite successful.

Peter Maciążek: *Indeed he is quite successful. In the field of relations between official Minsk and Brussels Lukashenko has repeatedly won. As far as Poland is concerned, and in this case I can say more – at the last, so called intrigue, headed by Radosław Sikorski – the Minister of Foreign Affairs of Poland; along with Guido Westerwelle, the Foreign Minister of Germany, they visited Minsk. It was a double visit. After that, however, there has been a complete change in the relationship. Poland was even accused of trying to reorganize the political system in Belarus. Much of the criticism fell on the heads of Polish services. And this indicates that such measures do not make sense. Regardless of any gestures made by Poland or the European Union, sooner or later, even if the situation changes, Lukashenko will change the rules of the game and will go back to Russia. Why? As I have already mentioned, the European Union does not have a single center of its foreign policy. It is true that there is the High Representative for Foreign Policy, Catherine Ashton. Her actions, however, are often limited solely to statements. In addition, a large part of the European Union countries are interested primarily in maintaining business relationships with Lukashenko. For example Slovenia, similarly Lithuania. In spite of the sanctions, countries maintain economic relations at a high level. This came to light at a moment when it was announced that the Belarusian goods can leave the ports of Lithuania and flip its transshipments into Russian ports. There is more of such examples. The list can be extended to countries with fairly concrete stance on human rights, including Germany. Many of the economic interests of this country is in Belarus. Hence, there is always a dilemma: economic interests, or human rights. And that's what led to the failure of the EU policy towards Belarus.*

- Moreover, political prisoners remain behind bars. Should Belarusians wait for international solidarity or on their own try to improve the situation in the country?

Peter Maciążek: *When we talk about political prisoners, here Belarusians should definitely take care of themselves. There should be set a strong front, exerting pressure on the authorities. But Belarus still lacks it. Belarus has almost no opposition.*

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Irina Khalip: So far I'm not a free person

Every former political prisoner can be again imprisoned. A journalist Iryna Khalip gave an interview to the charter97.org web-site after yesterday's trial.

-I do not feel as a free person. I do not know anymore how it is possible not to check the time *at night, I do not know how it is possible to go, for example, to a theater or concert in the evening and be sure that even if it is later than 10 p.m., nothing bad will happen. I do not know anymore how it is to get on a train or a plane and go somewhere without asking anyone for permission. De-facto, I was under house arrest all the time, similarly like Uladzimir Niakliajeu. If we add the five-month jail term, then we get quite a long term. I would also like to say that a person cannot be free even if the person is not currently under arrest or criminal persecution. Remember how people met Parfiankou and Jaromienak, who came from prison as free people. Now Parfiankou is preparing to go to prison again,* – the journalist noted.

She also noted that a person cannot feel free, if the state machine can enter in his/her life at any time.

-Dzmitry Dashkievich will soon be released, because his prison term expires, but they will say that the situation has improved because Dashkievich is released. One must not confuse logic. Now the number of political prisoners is again increasing. That I have not been sent to a colony today does not mean that this will not happen in a month or two or in a year. This does not mean that Uladzimir Niakliajeu will also be released. I still do not believe in any improvement, – Irina Khalip said.

She added that she had no expectations and hopes when she went to the court.

-In these years I have been able to develop kind of an ability – not to expect anything, not to plan anything. What will be will be. So far I have plans for the nearest evening. Together with friends we are going to meet and go to some café and not to check the time, – Iryna Khalip said.

On 19 July the court of Minsk's Partizan district decided to free the journalist Iryna Khalip from the criminal punishment as the verdict's postponement expired.

On 16 May 2011 the wife of a former presidential candidate Andrei Sannikov was sentenced to two years in prison with a postponement of the punishment for two years.